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PART IV-A

Rules and Orders (Other than those published in Parts I, I-A, and I-L) made by the Government of Gujarat under the Central Acts

PORTS AND TRANSPORT DEPARTMENT

NOTIFICATION

Sachivalaya, Gandhinagar, 14th June, 2021.

CONSTITUTION OF INDIA.

No.PT/2021/08/MVO/10/2021/242/KH- In exercise of the powers conferred by the proviso to article 309 of the Constitution of India and in supersession of all the rules made in this behalf, the Governor of Gujarat hereby makes the following rules, to provide for regulating the conditions of service of persons appointed to the post of Assistant Regional Transport Officer/ Assistant Director of Transport, Class II in the Motor Vehicle Department, in so far as they relate to passing the departmental examination, namely: -

1. Short title, extent and Commencement.-

- (1) These rules may be called the Regional Transport Officer/ Deputy Director of Transport, Class I (Departmental Examination) Rules, 2021.
- (2) They shall come into force on the date of their publication in the *Official Gazette*.
- (3) They shall apply to the persons appointed to the post of Assistant Regional Transport Officer/Assistant Director of Transport, Class II, in the General State Service under the Motor Vehicle Department by promotion or otherwise:

Provided that where any such person has before the appointed date passed the departmental examination or has been exempted from passing it under the old rules shall not be required to pass the examination as provided under these rules.

2. Definitions. -In these rules, unless the context otherwise requires,-

- (a) "Appendix" means an Appendix appended to these rules;
- (b) "Appointed Date" means the date on which these rules shall come into force;
- (c) "Commissioner of Transport" means the Commissioner of Transport, Gujarat State, Gandhinagar;
- (d) "Examination" means the departmental examination prescribed under these rules for promotion to the post of Regional Transport Officer/Deputy Director of Transport, Class I;
- (e) "Government" means the Government of Gujarat;
- (f) "Old rules" means the rules of the departmental examination for promotion to the posts of Regional Transport Officer/ Deputy Director of Transport, Class I which were in force immediately before the appointed date;

- (g) "Relevant departmental examination" means departmental examination prescribed under the old rules;
- (h) "Specified chances" means the number of chances specified in these rules within which a person is required to pass the examination;
- (i) "Specified period" means the period specified in these rules within which a person is required to pass the examination;
- (j) "SPIPA" means Sardar Patel Institute of Public Administration.

3. Eligibility to appear in the examination.-To be eligible for promotion to the post of Regional Transport Officer/ Deputy Director of Transport, Class I, an Assistant Regional Transport Officer/ Assistant Director of Transport, Class II shall be required to pass the examination within a period of three years after completing two years of service as Assistant Regional Transport Officer/ Assistant Director of Transport, Class II, unless he has passed relevant departmental examination under the old rules or exempted under the old rules from passing the relevant departmental examination:

Provided that the chances for passing the examination under the old rules shall be deemed to have been provided under these rules and a person who has been provided any such chance shall be allowed to avail the remaining chances under these rules:

Provided further that any such person, before the appointed date, has availed of all the chances prescribed under the old rules for passing the examination, shall be allowed to avail one additional chance to pass such examination under these rules, which shall have to be availed of at the first examination to be held under these rules, subject to the condition that he shall not to be entitled to claim seniority and shall become junior to all those who have passed the examination and have been promoted regularly to higher post earlier than him:

Provided also that if the period for passing the examination as provided in these rules, expires before the date of holding of the examination, the said period shall be deemed to have been extended until the date of the declaration of the result of the examination so held:

Provided also that any directly recruited Assistant Regional Transport Officer/ Assistant Director of Transport, Class II shall not be eligible to appear at the examination unless he has passed the post-training examination for existing post or he has been exempted from the post training examination, if any.

4. Specified chances for passing relevant examination.- The examination referred to in rule 3 shall have to be passed in not more than three chances within the period specified in rule3.

Provided that to appear in the examination up to three chances, no examination fees shall be levied. However, after the third chance the person shall be eligible to appear in the examination on payment of an examination fee as may be determined by the Government.

Provided further that such person shall not be entitled to claim seniority over those persons who have passed the Examination within the specified period and specified chances earlier than him and also have been promoted regularly to the higher post before he becomes eligible for such promotion on passing the departmental examination.

Provided also that the chances for passing the examination already availed of or which should have been availed of before the appointed date under the old rules shall be counted as having been availed of under these rules.

Provided also that a person belonging to the Scheduled Castes and Scheduled Tribes may be given one additional chance without payment of prescribed fees which shall have to be availed of within a period of one year from the date of the expiry of the period mentioned in rule 3 or, as the case may be, in this rule.

5. Holding of examination.-

- (1) The examination shall ordinarily be held by SPIPA twice in a year.
- (2) The place, date and time for holding the Examination shall be communicated by the SPIPA to the Commissioner of Transport. The Commissioner of Transport shall intimate to the candidates accordingly.

6. Syllabus and scheme of examination.-

- (1) The syllabus of the examination shall be as specified in the APPENDIX 'A'.
- (2) Examination shall consist of five Papers, each of 100(one hundred) marks.
- (3) The examination shall consist of multiple choice questions (MCQ) except paper 5 which shall be descriptive.
- (4) The medium of examination shall be Gujarati or English as per instructions given in the paper.

7. Admission to the examination.-

- (1) A candidate who intends to appear at the examination, shall submit his application in the form as specified in APPENDIX -'B', to the Commissioner of Transport through the Head of Office in which he is serving, for enlisting his name as a candidate for such Examination at least sixty (60) days before the date of commencement of the examination.
- (2) The Head of Office shall scrutinize the application with regard to his eligibility for appearing at the Examination and forward the same to the SPIPA through the Commissioner of Transport, alongwith the Certificate of Eligibility as specified in APPENDIX 'C'
- (3) If the candidate subsequently decides not to appear at the examination, he shall give the intimation thereof to the SPIPA through the Commissioner of Transport, at least thirty (30) days before the date of commencement of the examination.
- (4) In the event of any person failing to appear at the examination after having enlisted his name as a candidate for appearing thereat, but without intimating as referred to in sub- rule (3), he shall be deemed to have lost one chance to pass the examination.
- (5) The SPIPA shall admit the candidate to the examination on the strength of the certificate issued by the Commissioner of Transport, that he is eligible to appear at such examination:

Provided that the Commissioner of Transport, after reason to be recorded in writing, may condone the failure on the part of the person to give intimation referred to in sub-rule (3), and the consequences arising thereof, if he is satisfied that the person had failed to give the intimation within the time limit for reasons beyond his control.

8. Qualifying Standard for passing the examination.-

- (1) The standard for passing the examination shall be fifty percent (50%) of the total marks assigned to each paper.
- (2) The candidate shall be allowed to answer the entire subjects of Paper 1 to 4with the help of books, whereas Paper-5 shall be answered without books.

Explanation.- "with books" means original book of the subjects approved by the Government or the Institute includes bare Acts and/or Rules without any commentaries or case laws and includes manuals issued under the Act published by the Government.

- (3) An unsuccessful candidate who shall secure sixty percent (60%) or more marks in any one or more papers shall be exempted from appearing in those papers at the subsequent examination:

Provided that any exemption obtained by such candidate in any paper under the old rules shall be deemed to have been obtained in the corresponding paper under these rules.

9. Publication of result.- The SPIPA shall publish the result of the examination on its official web-site/notice board and shall forward the same to the Ports and Transport Department and the Commissioner of Transport. The Commissioner of Transport shall intimate the result to the candidates.

10. Prohibition to use certain devices in the Examination hall.-A candidate shall not be allowed to carry with him any electronic communication devices like cellular phone, calculator, laptop, pager, i-pad, etc.

11. Repeal and saving.-The old rules made by the Department for promotion to the Regional Transport Officer/ Deputy Director of Transport, Class I, and any other rules corresponding thereto in force immediately before the coming into force of these rules are hereby repealed:

Provided that such repeal shall not affect the things done or action taken under any of the rules so repealed.

APPENDIX 'A'

(See rule 6)

Syllabus for the Regional Transport Officer/Deputy Director of Transport, Class I departmental examination in the Motor Vehicle Department.

Paper: 1 Marks : 100, Duration: 2 Hours

- (1) The Gujarat Civil Services(Conduct) Rules, 1971.
- (2) The Gujarat Civil Services (Discipline and Appeal) Rules, 1971.
- (3) The Prevention of Corruption Act, 1988

- (4) The Indian Penal Code, 1860.
Chapter-II, IV, IX, IX-A, X, XI, XVI, XVII (Section 400-420), XVIII (Section 463 to 477-a), XXI (Section 499-500).
- (5) The Constitution of India.
- (6) Recruitment Rules/Examination Rules.
- (7) The Gujarat Civil Services Classification and Recruitment (General) Rules, 1967.
- (8) Gujarat Public Service Commission(Consultation) Regulation, 1960.
- (9) Rules of Business and instructions issued thereunder.

Paper: 2 Marks : 100, Duration: 2 Hours

- (1) Introduction of Indian Accounts and Audit.
[except the Chapter 7, Chapter 9 part C,D,E, Chapters 18,21,22,23,31,32,33,34,36 (Paras 76 to 776, 781 to 785), Chapters 37,38,39].
- (2) The Gujarat Budget Manual, Part-I and II.
- (3) The Bombay Contingent Expenditure Rules, 1959.
- (4) The Gujarat Financial Rules, 1971.
- (5) The Financial Powers (Delegation) Rules, 1998.
- (6) The Gujarat Treasury Rules, 2000.
- (7) Delegation of Financial Powers.

Paper: 3 Marks : 100, Duration: 2 Hours

- (1) The Gujarat Civil Services Rules (G.C.S.R), 2002 Vol. I to VIII.
- (2) The Right to Information Act, 2005.
- (3) The Right of Citizen to Public Services Act, 2013.
- (4) Non-Secretariat Office Manual.
- (5) Performance Appraisal Report and its guidelines.
- (6) Purchase Policy of Government of Gujarat.
- (7) The Gujarat Legislative Assembly Rules.

Paper: 4 Marks : 100, Duration: 3 Hours

- (1) The Criminal Procedure Code, 1973.
Chapter-II(except section-18), III(except section-35), IV(except section-36), VIII, X(except section-139,140,145,146,147 and 148), XI (except section-149), XII, XIII, XIV, XV(Section-200-202), XXIV(Section-301,302 and 324).
- (2) The Indian Evidence Act, 1872 (Definitions and Section: 2 to 20).
- (3) Information Technology Act (Section 65 and Section 66), 2005.
- (4) The Motor Vehicle Act, 1988 with all amendments, Central Motor Vehicle Rules, 1989 with all amendments and Gujarat Motor Vehicle Rules, 1989 with all amendments.
- (5) The Gujarat Motor Vehicles Tax Act, 1958 and the Gujarat Motor Vehicles Tax Rules, 1959.
- (6) The Gujarat Road Safety Policy 2016-17 and the Gujarat Road Safety Authority Act, 2018.

Paper: 5 Marks : 100, Duration: 3 Hours

(1)	Essay in English and Gujarati.	15 Marks
(2)	Secretariat and Field Relationship.	10 Marks
	Public relation and Communication	

(3)	High Court Matters- Filing of an affidavit, Drafting of Speaking orders, Preparing Para wise remarks.	15 Marks
(4)	Government Correspondence- different types of letters/ Government Resolutions/Notifications and difference between them.	30 Marks
(5)	Circulars>Show Cause Notice (of administrative nature).	20 Marks
(6)	Press note/Press briefing.	10 Marks

APPENDIX 'B'*(See rule 7(1))***Form of Application**

Application for appearing at the Regional Transport Officer/Deputy Director of Transport, Class I Departmental Examination in the Motor Vehicle Department, to be held by the Sardar Patel Institute of Public Administration.

1	Applicant's name in full (Surname first) (In English and Gujarati)	
2	Designation (In English and Gujarati)	
3	Name of the office in which at present serving	
4	Birth date and age at the time of this examination.	
5	Date of appointment and total years of service (Gazetted /Non-Gazetted).	
6	(i) Whether he has appeared at the Examination previously ? If so, (a) Month and year of examination at which he had appeared. (b) Whether any exemption is earned? If so, details of marks, year of examination and subjects should be given. (c) Whether he intends to avail of exemption earned? State 'Yes' or "No" (The choice shall be treated as final and no change will be allowed)	
7	Authority or the rule under which he has to appear for the examination.	
8	Number of chances and time limit within which the applicant is required to pass the examination (date of eligibility and expiry for appearing at the examination should be mentioned).	
9	Number of trials exhausted.	
10	Whether additional (special) chance has been granted? (Number and date of orders, under which the additional (special) chance has been granted to him should be specified and copy thereof, should be sent.	
11	Number and date of orders relaxing age and/or service limit from competent authority (copies of orders should be sent)	
12	Purpose of passing the examination (e.g confirmation, retention in Government Service, promotion etc.)	
13	Whether he is eligible to appear at the examination according to rules of the departmental examination?	
14	Remarks if any.	

Place:

Date:

(Signature of the Applicant)

APPENDIX 'C'*(See rule 7(2))***CERTIFICATE OF ELIGIBILITY**

This is to certify that the above particulars are verified and found correct. Shri/Smt./Kum.
..... is eligible to appear at the departmental examination to be held in 20

Place: (Signature and Designation of the Head of
Date: the Department/Office)

By order and in the name of the Governor of Gujarat,

R. V. BHATT,
Deputy Secretary to Government.

GOVERNMENT CENTRAL PRESS, GANDHINAGAR.